

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

MAR 14 2019

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

MICHAEL PHILLIP PATRAKIS,

Defendant-Appellant.

No. 18-10436

D.C. No. 1:17-cr-00109-LEK  
District of Hawaii,  
Honolulu

ORDER

Before: LEAVY, BEA, and N.R. SMITH, Circuit Judges.

Appellee's motion to dismiss this appeal based on the appeal waiver (Docket Entry No. 10) is denied without prejudice to renewal after submission of appellant's opening brief. The court sua sponte grants appellant an extension of time to file the opening brief. The opening brief and excerpts of record are due on April 8, 2019. Appellee's answering brief is due on May 8, 2019. The optional reply brief is due within 21 days after service of the answering brief.